

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 3, 17, and 18 have been canceled, claim 1 has been amended, and claims 49-52 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 4-16, 19-25, and 27-52 are pending and under consideration.

In the Office Action, at page 6, item 6, the Examiner indicated that claims 19-25 and 27-48 are allowed.

In the Office Action, at page 6, item 5, the Examiner indicated that claims 3, 4, and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Reconsideration is requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because:

(a) it is believed that the amendment of claim 1 puts this application into condition for allowance as suggested by the Examiner;

(b) the amendment was not earlier presented because Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendment of claim 1 and the addition of claims 49-52 should not entail any further search by the Examiner since no new features are being added and no new issues are being raised; and

(d) the amendment does not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 3, item 4, the Examiner rejected claims 1, 5-9, and 13-16 under 35 U.S.C. §102 (e) as being anticipated by Quist et al. (U.S. Patent No. 6,199,018 – hereinafter Quist). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 6, item 5, the Examiner indicated that claim 3 would be allowable if rewritten in independent form. Applicants respectfully submit that the subject matter of claim 3, which previously depended from claim 1, has been incorporated into independent claim 1. Thus claim 1 should be allowable.

Thus, Applicants respectfully submit that claim 1 patentably distinguishes over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicants respectfully submit that claims 4-16, each of which depends from independent claim 1, should be allowable for at least the same reasons as claim 1, as well as for the additional features recited therein.

NEW CLAIMS

Claims 4 and 10-12 have been respectively rewritten in independent form as new claims 49-52. Applicants respectfully submit that since the Examiner stated claims 4 and 10-12 would be allowable if rewritten in independent form, new claims 49-52 patentably distinguish over the cited art and should be allowable.

CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

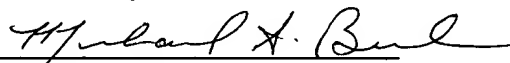
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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